



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making:

Chapter 296-155 WAC, Safety Standards for Construction Work
Chapter 296-62 WAC, General Occupational Health Standards
Chapter 296-841 WAC, Respiratory Hazards

Statutes authorizing the agency to adopt rules on this subject:

RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, and RCW 49.17.060.

Reasons why rules on this subject may be needed and what they might accomplish:

WISHA is proposing to rewrite and clarify requirements relating to the lead rules. This rulemaking is part of our long-term goal to rewrite our general occupational safety and health rules. WISHA will be updating requirements to provide consistency between the existing two standards. In addition, the department may eliminate unnecessary requirements and outdated terminology. Also, L&I will update references to these rules throughout the rest of WISHA's standards. This proposal will move all lead requirements relating to general industries from chapter 296-62 WAC, General Occupational Health Standards, and chapter 296-155 WAC, Safety Standards for Construction Work, and place them in a new chapter.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state or federal agencies (other than OSHA) are known to regulate worker safety and health for this subject.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

The department must adopt rules identical to or at least as effective as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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December 21, 2004

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SIGNATURE

TITLE
Director

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